

**MENOMINEE TRIBAL LEGISLATURE – RECESSED REGULAR  
THURSDAY, MARCH 4, 2011  
TRIBAL OFFICE BOARDROOM  
KESHENA, WI 54135  
5:00 P.M.**

**MEMBERS PRESENT:**

Randal Chevalier, Tribal Chairman  
Myrna R. Warrington  
Rebecca D. Alegria  
Craig A. Corn  
Lisa S. Waukau  
Bruce J. Pecore  
Orman D. Waukau Jr.  
Laurie A. Boivin

**MEMBERS ABSENT:**

David A. Miller (*Excused Absence*)

**1. Call to Order – Roll Call.**

Chairman Randal Chevalier called the meeting to order at 5:00 p.m. Roll Call was taken with a quorum present.

**15. 10 – Day Waiver Request(s).**

There were no 10-day waiver request(s) made at this time.

**16. 1<sup>ST</sup> Consideration of Repeal of Tribal Ordinance No. 06-29 Communications Protocol.**

**MOTION BY LAURIE BOIVIN TO APPROVE 1<sup>ST</sup> CONSIDERATION TO MENOMINEE NATION MENOMINEE TRIBAL LEGISLATURE REPEAL OF TRIBAL ORDINANCE 06-29 “COMMUNICATIONS PROTOCOL,” AND SEND TO PUBLIC HEARING ON MARCH 17, 2011 AT 4:30 P.M. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (D. MILLER).**

**17. 1<sup>ST</sup> Consideration of Amendment to Ordinance No. 83-05 Comprehensive Land Use & Natural Resource Plan.**

This item should not have been listed on the agenda.

**18. 1<sup>ST</sup> Consideration of Amendment to Ordinance No. 10-20 Fiscal Year 2011 Tribal Budget.**

**MOTION BY LAURIE BOIVIN TO BRING THIS BACK TO THE NEXT MEETING (*MARCH 17, 2011*) AS A SPECIAL APPROPRIATION BUDGET FOR THE MIEDA GROCERY STORE PROJECT FOR 1<sup>ST</sup> CONSIDERATION. SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 6 FOR, 1 OPPOSED (WARRINGTON), 0 ABSTENTIONS, AND 1 ABSENT (D. MILLER).**

**PLEASE NOTE:** Legislator Warrington did not qualify her opposition.

**19. 1<sup>ST</sup> Consideration of Amendment to Ordinance No. 99-01 Conservation Code.**

**MOTION BY REBECCA ALEGRIA TO APPROVE 1<sup>ST</sup> CONSIDERATION OF AMENDMENT TO ORDINANCE NO. 99-01 CONSERVATION CODE, AND SEND TO PUBLIC HEARING ON MARCH 17, 2011 AT 4:30 P.M. SECOND WAS MADE BY CRAIG CORN. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (D. MILLER).**

**20. 1<sup>ST</sup> Consideration of Ordinance No. 11-\_\_\_ Cross Connection Control Program.**

**MOTION BY REBECCA ALEGRIA TO ADOPT 1<sup>ST</sup> CONSIDERATION OF MENOMINEE TRIBAL LEGISLATURE ORDINANCE NO. 11-05 CROSS CONNECTION CONTROL PROGRAM, AND SEND TO PUBLIC HEARING ON MARCH 17, 2011 AT 4:30 P.M. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (D. MILLER).**

**21. 1<sup>ST</sup> Consideration of Ordinance No. 11-\_\_\_ Deceased Tribal Leaders’ Right to Publicity.**

**MOTION BY LISA WAUKAU THAT WE SEND ORDINANCE NO. 11-06 DECEASED TRIBAL LEADERS’ RIGHT TO PUBLICITY TO PUBLIC HEARING ON MARCH 17, 2011 AT 4:30 P.M. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 6 FOR, 1 OPPOSED (ALEGRIA), 0 ABSTENTIONS, AND 1 ABSENT (D.**

MILLER).

**PLEASE NOTE:** Legislator Alegria qualified her opposition as follows: *“I don’t care for the title of the Ordinance, and I think that we can do better than that.”*

**22. Final Approval of Amendment to Ordinance No. 80-30 – Canceling Residential Lease Request.**

Because Public Hearing was not posted properly all of the “Final Approvals” on Ordinances will need to be sent back for “First Consideration.” Therefore, this agenda item is moot.

**23. Final Approval of Amendment to Ordinance No. 10-20 – Fiscal Year 2011 Tribal Budget.**

Because Public Hearing was not posted properly all of the “Final Approvals” on Ordinances will need to be sent back for “First Consideration.” Therefore, this agenda item is moot.

**24. Final Approval of Ordinance No. 11-01 – Residential Lease Request.**

Because Public Hearing was not posted properly all of the “Final Approvals” on Ordinances will need to be sent back for “First Consideration.” Therefore, this agenda item is moot.

**25. Final Approval of Ordinance No. 11-02 – Recreational Lease Requests.**

Because Public Hearing was not posted properly all of the “Final Approvals” on Ordinances will need to be sent back for “First Consideration.” Therefore, this agenda item is moot.

**26. Final Approval of Ordinance No. 11-03 – (*Menominee Tribal Housing Limited Partnership #7*).**

Because Public Hearing was not posted properly all of the “Final Approvals” on Ordinances will need to be sent back for “First Consideration.” Therefore, this agenda item is moot.

**27. Final Approval of Ordinance No. 11-04 – Residential Lease Requests (*Menominee Tribal Housing Limited Partnership #8*).**

Because Public Hearing was not posted properly all of the “Final Approvals” on Ordinances will need to be sent back for “First Consideration.” Therefore, this agenda item is moot.

**28. Approval of Minutes: 1) January 15, 2011 – Annual General Council; 2) February 9, 2011 – Organizational; & 3) February 17, 2011 – Regular.**

**1) January 15, 2011 – Annual General Council;**

Legislator Boivin requested to have the Kenosha Gaming portion removed from the minutes, because that was proprietary information that she delivered to the Tribal membership.

**MOTION BY LAURIE BOIVIN THAT WE *TABLE* THE JANUARY 15, 2011 ANNUAL GENERAL COUNCIL MINUTES AND HAVE THE KENOSHA REPORT SECTION REDACTED DUE TO PROPRIETARY INFORMATION. SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (D. MILLER).**

**2) February 9, 2011 – Organizational; &**

**MOTION BY LISA WAUKAU THAT WE APPROVE THE MINUTES OF FEBRUARY 9, 2011 ORGANIZATIONAL MEETING WITH ANY AND ALL CORRECTIONS. SECOND WAS MADE BY CRAIG CORN. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (ALEGRIA AND D. MILLER).**

**3) February 17, 2011 – Regular.**

The Legislature requested to table the meeting minutes, because the Public Comments are supposed to be just a synopsis of tribal

members' public commentary.

**MOTION BY MYRNA WARRINGTON TO *TABLE* THE MINUTES OF FEBRUARY 17, 2011. SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (D. MILLER).**

**29. Legislative Time on Task Reports.**

**MOTION BY LAURIE BOIVIN THAT ITEM # 1 AND # 2 SHOULD BE REFERRED TO THE KENOSHA GAMING AUTHORITY AS WE'RE ALREADY WORKING ON THOSE. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (D. MILLER).**

**30. Travel Authorization Requests.**

**MOTION BY BRUCE PECORE TO AUTHORIZE LEGISLATOR'S ORMAN WAUKAU AND REBECCA ALEGRIA TO GO TO THE M.A.S.T IMPACT WEEK 2011 ON MARCH 27 – 30, 2011 IN WASHINGTON, DC. SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (D. MILLER).**

**MOTION BY REBECCA ALEGRIA TO APPROVE TRAVEL AUTHORIZATION FOR THE MIEDA BOARD CHAIRMAN LEGISLATOR BRUCE PECORE AND LEGISLATOR ORMAN WAUKAU TO ATTEND THE INAUGURAL NATIONAL AMERICAN 8(A) CONFERENCE APRIL 18-19, 2011 IN WASHINGTON, DC. SECOND WAS MADE BY LISA WAUKAU. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (D. MILLER).**

**MOTION BY REBECCA ALEGRIA TO APPROVE TRAVEL AUTHORIZATION TO ATTEND THE 35<sup>TH</sup> ANNUAL NATIONAL INDIAN TIMBER SYMPOSIUM JUNE 13-16, 2011 IN CARLTON, MN FOR THE CHAIRMAN OF THE FORESTRY COMMITTEE CRAIG CORN AND LEGISLATOR MYRNA (WARRINGTON). SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (D. MILLER).**

**MOTION BY REBECCA ALEGRIA TO APPROVE TRAVEL AUTHORIZATION FOR THE DEPARTMENT OF JUSTICE FINAL TRIBAL CONSULTATION SESSION MARCH 23, 2011 IN LAC COURTE OREILLES, WI FOR TRIBAL CHAIRMAN RANDAL CHEVALIER OR DESIGNEE. SECOND WAS MADE BY ORMAN WAUKAU. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (D. MILLER).**

**MOTION BY REBECCA ALEGRIA TO APPROVE TRAVEL AUTHORIZATION TO CARLTON, MN APRIL 5-7, 2011 FOR THE 6<sup>TH</sup> ANNUAL CRIMES AGAINST CHILDREN IN INDIAN COUNTRY FOR THE CHAIRMAN OF THE ENFORCEMENT AND RESOURCE PROTECTION COMMITTEE AND OR DESIGNEE WITH THE STIPULATION THAT IF THERE IS GRANT MONEY AVAILABLE TO UTILIZE THOSE FUNDS. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (D. MILLER).**

**31. Committee Reports and Recommendations:**

- a. Community Development Committee of February 8, 2011.
  - i. Request Approval for an Annual Veterans Pow-Wow;

**MOTION BY MYRNA WARRINGTON TO CONCUR WITH THE COMMUNITY DEVELOPMENT COMMITTEE OF FEBRUARY 8, 2011 TO HONOR THE FIRST PART OF THE REQUEST ITEM #1 AND TO RECOMMEND TO THE LEGISLATURE THAT THE ANNUAL VETERANS OF MENOMINEE NATION POW-WOW BE ALLOWED TO SCHEDULE ANNUALLY THE THIRD WEEKEND IN MAY WITHOUT HAVING TO COME BACK ANNUALLY TO ASK FOR USE OF THE WOODLAND BOWL. NO SECOND NECESSARY. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (D. MILLER).**

- ii. Request Approval to Hold a Wedding in the Woodland Bowl; &

**MOTION BY MYRNA WARRINGTON TO CONCUR WITH THE COMMUNITY DEVELOPMENT COMMITTEE**

OF FEBRUARY 8, 2011 TO RECOMMEND TO THE LEGISLATURE TO APPROVE THE REQUEST BY CAROL BARNES FOR THE USE OF THE WOODLAND BOWL ON MAY 7, 2011 FOR A WEDDING WITH (THE USUAL) STIPULATIONS AS STATED BY COMMUNITY DEVELOPMENT. NO SECOND NECESSARY. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (D. MILLER).

iii. Request Approval for MIHS Senior Class 2011 Graduation Ceremony in the Woodland Bowl.

MOTION BY MYRNA WARRINGTON TO CONCUR WITH THE COMMUNITY DEVELOPMENT COMMITTEE OF FEBRUARY 8, 2011 TO RECOMMEND TO THE LEGISLATURE TO APPROVE THE REQUEST OF THE MENOMINEE INDIAN HIGH SCHOOL SENIOR CLASS TO USE THE WOODLAND BOWL FOR THE 2011 GRADUATION CEREMONY WITH COMMUNITY DEVELOPMENT (THE USUAL) STIPULATIONS AND TO HAVE THE FEE WAIVED. NO SECOND NECESSARY. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (D. MILLER).

- b. Enforcement and Resource Protection Committee of February 16, 2011.
  - i. Request Approval of Forest Educational Use Notification Permit.

MOTION BY BRUCE PECORE TO CONCUR WITH THE ENFORCEMENT AND RESOURCE PROTECTION COMMITTEE OF FEBRUARY 16, 2011 TO APPROVE THE FOREST EDUCATIONAL NOTIFICATION OF USE PERMIT WITH ADDING THE CHANGE (ATTACHING THE CERTIFICATE OF INSURANCE AND A CHECK BOX TO THE FORM) AND SEND TO THE MENOMINEE TRIBAL LEGISLATURE FOR THEIR APPROVAL. NO SECOND NECESSARY. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 1 ABSTENTION (ALEGRIA), AND 1 ABSENT (D. MILLER).

PLEASE NOTE: Legislator Alegria did not qualify her abstention.

- c. Labor, Education, & Training Committee of February 18, 2011.
  - i. Re-Affirm Poll Vote for Re-Appointments.

MOTION BY LISA WAUKAU TO THE LEGISLATURE BY VIRTUE OF A POLL VOTE IN THE FOLLOWING FASHION: TO REPLACE JOM EDUCATION COMMITTEE MEMBER KRISTIN LATENDER FOR SHANNON SHAWANOKASIC FOR THE REMAINDER OF THE TERM TO SEPTEMBER 2011, AND TO REPLACE GEORGIA FRECHETTE'S THREE YEAR TERM FOR KIMBERLY OSHKESHEQUOAM ACCORDING TO THE NEXT HIGHEST VOTES FROM THE SEPTEMBER 2010 JOM ELECTION. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (D. MILLER).

- d. Menominee Tribe/Menominee County Human Services Planning Committee of February 22, 2011.
  - i. Request Approval Re-Appointment of Legislative Member.

Legislator Boivin was appointed to serve on the Menominee Tribe/Menominee County Human Services Planning Committee.

- e. Governmental Affairs Committee of February 22, 2011.
  - i. Request Approval of the Dialysis PPO Contract and Amendments to the Health Care Plan.

MOTION BY LISA WAUKAU TO CONCUR WITH THE GOVERNMENTAL AFFAIRS COMMITTEE OF FEBRUARY 22, 2011 TO RECOMMEND TO THE LEGISLATURE TO APPROVE THE DIALYSIS PPO CONTRACT AND ANY SUBSEQUENT AMENDMENTS TO THE HEALTH CARE PLAN AS PRESENTED BY THE INSURANCE DIRECTOR. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (D. MILLER).

MOTION BY LISA WAUKAU TO RECOMMEND THAT THE MENOMINEE TRIBAL CHAIRMAN APPOINT ANDREW WESTPHAL (IT DIRECTOR) TO THE GOVERNMENTAL AFFAIRS COMMITTEE. SECOND WAS MADE BY CRAIG CORN. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (D. MILLER).

**(A) Legal;**  
**(1) FMP Appeal.**

This was taken up on March 3, 2011.

**(B) Personnel; &**

This was taken up on March 3, 2011.

**(C) Gaming**  
**1) Kenosha Project Update; &**

This was taken up on March 3, 2011.

**2) MIGA Board Updates.**

This was taken up on March 3, 2011.

**33. Adjournment.**

**MOTION BY MYRNA WARRINGTON/LAURIE BOIVIN TO ADJOURN. THE MOTION CARRIED: 7 FOR, 0  
OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (D. MILLER).**

**PLEASE NOTE:** *The meeting was recorded by Recording Clerk, Linda Peters.*

Meeting adjourned at 5:51 P.M.

Respectfully submitted by;



Debra A. Bowman, Transcriber  
**EXECUTIVE SECRETARY, CHAIRMAN'S OFFICE**